

AMENDMENTS TO CONCURRENT ENROLLMENT

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Eric K. Hutchings

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to concurrent enrollment courses and funding.

Highlighted Provisions:

This bill:

- ▶ requires the State Board of Regents to annually approve a prioritized list of upper division concurrent enrollment courses;
- ▶ amends provisions to include upper division concurrent enrollment courses;
- ▶ amends the formula for increasing funding for concurrent enrollment; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53E-10-301, as last amended by Laws of Utah 2018, Chapters 22, 410 and renumbered and amended by Laws of Utah 2018, Chapter 1

53E-10-302, as last amended by Laws of Utah 2018, Chapter 410 and renumbered and amended by Laws of Utah 2018, Chapter 1

53E-10-305, as last amended by Laws of Utah 2018, Chapter 410 and renumbered and



amended by Laws of Utah 2018, Chapter 1

53E-10-307, as last amended by Laws of Utah 2018, Chapter 410 and renumbered and amended by Laws of Utah 2018, Chapter 1

53F-2-409, as renumbered and amended by Laws of Utah 2018, Chapter 2

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53E-10-301** is amended to read:

53E-10-301. Definitions.

(1) "Concurrent enrollment" means enrollment in a course offered through the concurrent enrollment program described in Section **53E-10-302**.

(2) "Educator" means the same as that term is defined in Section **53E-6-102**.

(3) "Eligible instructor" means an instructor who meets the requirements described in Subsection **53E-10-302**~~(5)~~**(6)**.

(4) "Eligible student" means a student who:

(a) is enrolled in, and counted in average daily membership in, a high school within the state;

(b) has a plan for college and career readiness, as described in Section **53E-2-304**, on file at a high school within the state; and

(c) (i) is a grade 11 or grade 12 student; or

(ii) is a grade 9 or grade 10 student who qualifies by exception as described in Section **53E-10-302**.

(5) "Institution of higher education" means an institution that is part of the Utah System of Higher Education described in Subsection **53B-1-102**(1)(a).

(6) "License" means the same as that term is defined in Section **53E-6-102**.

(7) "Local education agency" or "LEA" means a school district or charter school.

(8) "Value of the weighted pupil unit" means the amount established each year in the enacted public education budget that is multiplied by the number of weighted pupil units to yield the funding level for the basic state-supported school program.

Section 2. Section **53E-10-302** is amended to read:

53E-10-302. Concurrent enrollment program.

(1) The State Board of Education and the State Board of Regents shall establish and maintain a concurrent enrollment program that:

(a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently:

(i) toward high school graduation; and

(ii) at an institution of higher education;

(b) includes only a course that:

(i) leads to a degree or certificate offered by an institution of higher education; and

(ii) is one of the following:

(A) a general education course;

(B) a career and technical education course;

(C) a pre-major college level course; ~~or~~

(D) a foreign language concurrent enrollment course described in Section 53E-10-307;

or

(E) an upper division course approved by the State Board of Regents under Subsection (3);

(c) requires that the instructor of a concurrent enrollment course is an eligible instructor; and

(d) is designed and implemented to take full advantage of the most current available education technology.

(2) The State Board of Education and the State Board of Regents shall coordinate to:

(a) establish a concurrent enrollment course approval process that ensures:

(i) credit awarded for concurrent enrollment is consistent and transferable to all institutions of higher education; and

(ii) learning outcomes for a concurrent enrollment course align with:

(A) core standards for Utah public schools adopted by the State Board of Education;

and

(B) except for a foreign language concurrent enrollment course described in Section 53E-10-307 or an upper division course approved by the State Board of Regents under Subsection (3), an institution of higher education lower division course numbered at or above the 1000 level; and

(b) provide advising to an eligible student, including information on:
(i) general education requirements at institutions of higher education; and
(ii) how to choose concurrent enrollment courses to avoid duplication or excess credit hours.

(3) The State Board of Regents, after consulting with the state board, shall annually approve a prioritized list of upper division courses for which an institution of higher education may use concurrent enrollment money.

~~[(3)]~~ (4) After consultation with institution of higher education concurrent enrollment directors, the State Board of Regents shall:

(a) provide guidelines to an institution of higher education for establishing qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course; and

(b) on or before January 1, 2019, establish a policy that:

(i) describes the qualifications for an LEA employee to be an eligible instructor; and

(ii) ensures that the qualifications described in Subsection ~~[(3)]~~ (4)(b)(i):

(A) maximize concurrent enrollment opportunities for eligible students while maintaining quality; and

(B) allow for an individual who teaches a concurrent enrollment course in the 2017-18 or 2018-19 school year to continue to teach the concurrent enrollment course in subsequent years.

~~[(4)]~~ (5) To qualify for funds under Section 53F-2-409, an LEA and an institution of higher education shall:

(a) enter into a contract, in accordance with Section 53E-10-303, to provide one or more concurrent enrollment courses that are approved under the course approval process described in Subsection (2);

(b) ensure that an instructor who teaches a concurrent enrollment course is an eligible instructor;

(c) establish qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course, in accordance with the guidelines described in Subsection ~~[(3)]~~ (4)(a);

(d) ensure that a student who enrolls in a concurrent enrollment course is an eligible student; and

(e) coordinate advising to eligible students.

~~[(5)]~~ (6) (a) An institution of higher education faculty member is an eligible instructor.

(b) An LEA employee is an eligible instructor if the LEA employee:

(i) is licensed under Chapter 6, Education Professional Licensure;

(ii) is supervised by an institution of higher education; and

(iii) (A) meets the qualifications described in the policy established under Subsection ~~[(3)]~~ (4)(b); or

(B) has an upper level mathematics credential issued by the State Board of Education.

(c) Notwithstanding Subsection ~~[(5)]~~ (6)(b)(iii), an LEA employee is an eligible instructor if:

(i) the State Board of Regents has not established the policy described in Subsection ~~[(3)]~~ (4)(b); and

(ii) the LEA employee:

(A) meets the requirements described in Subsections ~~[(5)]~~ (6)(b)(i) and (ii); and

(B) is approved as adjunct faculty by an institution of higher education.

~~[(6)]~~ (7) An LEA and an institution of higher education may qualify a grade 9 or grade 10 student to enroll in a current enrollment course by exception, including a student who otherwise qualifies to take a foreign language concurrent enrollment course described in Section [53E-10-307](#).

~~[(7)]~~ (8) An institution of higher education shall accept credits earned by a student who completes a concurrent enrollment course on the same basis as credits earned by a full-time or part-time student enrolled at the institution of higher education.

Section 3. Section **53E-10-305** is amended to read:

53E-10-305. Tuition and fees.

(1) Except as provided in this section, the State Board of Regents or an institution of higher education may not charge tuition or fees for a concurrent enrollment course.

(2) (a) The State Board of Regents may charge a one-time fee for a student to participate in the concurrent enrollment program.

(b) A student who pays a fee described in Subsection (2)(a) does not satisfy a general admission application fee requirement for a full-time or part-time student at an institution of higher education.

(3) (a) An institution of higher education may charge a one-time admission application fee for concurrent enrollment course credit offered by the institution of higher education.

(b) Payment of the fee described in Subsection (3)(a) satisfies the general admission application fee requirement for a full-time or part-time student at an institution of higher education.

(4) (a) Except as provided in Subsection (4)(b), an institution of higher education may charge partial tuition of no more than \$30 per credit hour for a concurrent enrollment course for which a student earns college credit.

(b) An institution of higher education may not charge more than:

(i) \$5 per credit hour for an eligible student who qualifies for free or reduced price school lunch;

(ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by an eligible instructor described in Subsection ~~53E-10-302[(5)(c)]~~(6)(b); or

(iii) \$15 per credit hour for a concurrent enrollment course that is taught through video conferencing.

Section 4. Section **53E-10-307** is amended to read:

53E-10-307. Concurrent enrollment courses for accelerated foreign language students.

(1) As used in this section:

(a) "Accelerated foreign language student" means a student who:

(i) has passed a world language advanced placement exam; and

(ii) is in grade 10, grade 11, or grade 12.

(b) "Blended learning delivery model" means an education delivery model in which a student learns, at least in part:

(i) through online learning with an element of student control over time, place, path, and pace; and

(ii) in the physical presence of an instructor.

(c) "State university" means an institution of higher education that offers courses leading to a bachelor's degree.

(2) The University of Utah shall partner with all state universities to develop, as part of the concurrent enrollment program described in this part, concurrent enrollment courses that:

(a) are age-appropriate foreign language courses for accelerated foreign language students who are eligible students;

(b) count toward a foreign language degree offered by an institution of higher education; and

(c) are delivered:

(i) using a blended learning delivery model; and

(ii) by an eligible instructor described in Subsection ~~53E-10-302(5)(b)~~ 53E-10-301(6)(a).

Section 5. Section **53F-2-409** is amended to read:

53F-2-409. Concurrent enrollment funding.

(1) The terms defined in Section ~~[53F-10-301]~~ 53E-10-301 apply to this section.

(2) The State Board of Education shall allocate money appropriated for concurrent enrollment in accordance with this section.

(3) (a) The State Board of Education shall allocate money appropriated for concurrent enrollment in proportion to the number of credit hours earned for courses taken where:

(i) an LEA primarily bears the cost of instruction; and

(ii) an institution of higher education primarily bears the cost of instruction.

(b) From the money allocated under Subsection (3)(a)(i), the State Board of Education shall distribute:

(i) 60% of the money to LEAs; and

(ii) 40% of the money to the State Board of Regents.

(c) From the money allocated under Subsection (3)(a)(ii), the State Board of Education shall distribute:

(i) 40% of the money to LEAs; and

(ii) 60% of the money to the State Board of Regents.

(d) The State Board of Education shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, providing for the distribution of the money to LEAs under Subsections (3)(b)(i) and (3)(c)(i).

(e) The State Board of Regents shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, providing for the distribution of the money allocated to institutions of higher education under Subsections (3)(b)(ii) and (3)(c)(ii).

(4) Subject to budget constraints, the Legislature shall annually increase the money

213 appropriated for concurrent enrollment in proportion to the percentage increase over the
214 previous school year in:

- 215 (a) [~~kindergarten through grade 12 student~~] concurrent enrollment; and
- 216 (b) the value of the weighted pupil unit.

217 (5) If an LEA receives an allocation of less than \$10,000 under this section, the LEA
218 may use the allocation as described in Section [53F-2-206](#).